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Held, that an inspection law for the sole purpose of aiding in the detection and punishment of crime or fraud against an industry is valid. *Baker, J., dissenting*.

A state may make rules for the conduct of the most necessary and common occupations when from their nature they afford peculiar opportunities for imposition and fraud. *Cooley, Cons. Lim.*, 7th Ed., 886; *Hawthorn v. People*, 109 Ill. 308. Also when the business affords peculiar opportunities for the commission of crime. *Comm. v. Ducey*, 126 Mass. 269. But a state cannot make a law designed to detect or prevent crime an inspection law, within the constitutional meaning of that word, by calling it so in the title. *People v. Compagnie Générale*, 107 U. S. 59; *Soon Hing v. Crowley*, 113 U. S. 703, 710. Such inspection law to be valid must not substantially hamper or burden either foreign or interstate commerce. *Railroad v. Husen*, 95 U. S. 465. Yet although such state regulations may affect interstate commerce in some measure, if the regulations are local in their nature and adapted to the locality they will not be considered void unless they run counter to legislation that Congress has enacted. *Cooley, Prin. of Cons. Law*, 71.

CRIMINAL LAW—EVIDENCE—REFRESHING MEMORY.—*STATE V. ASPARA*, 37 So. 883 (LA.).—*Held*, that a witness in a criminal trial may refresh his memory by referring to testimony previously given by him on the preliminary hearing of the accused.

In most jurisdictions a witness cannot have recourse to his previous testimony before the grand jury. *Putnam v. U. S.*, 162 U. S. 687; *Comm. v. Phelps*, 77 Mass. 73; *contra, State v. Miller*, 53 Iowa 154. But when a witness for the prosecution manifests a disposition to favor the defendant, the prosecution may call his attention to such previous testimony. *Hurley v. State*, 46 O. St. 320. It is generally held that the attention of a witness may be called to the testimony given by him in a previous trial of the same case. *People v. Palmer*, 105 Mich. 568. But the testimony of a witness on the trial of another defendant in the same indictment cannot be read to him for any purpose. *Brown v. State*, 28 Ga. 199. The ruling in the present case regarding testimony given at a prior preliminary examination seems to follow the weight of authority. *Harvey v. State*, 40 Ind. 516; *White v. State*, 18 Tex. App. 57.

DEAD BODIES—ACTION FOR MUTILATION—DAMAGES.—*KOERBER V. PATEK*, 102 N. W. 40 (Wis.).—*Held*, that the sense of outrage and mental suffering resulting directly from the wilful mutilation by defendant of the body of plaintiff's deceased mother are proper independent elements of compensatory damages.

Damages will be allowed for mental suffering, without physical injury, where the suffering was caused by a wanton act. *Gillespie v. Brooklyn H. R. R.*, 178 N. Y. 347. For an authorized autopsy damages will not lie where it was shown to be conducted in the ordinary way. *Winkler v. Hawkes et al.*, 102 N. W. 418 (Iowa); *Cook v. Walley*, 1 Colo. App. 163. As to authorized autopsies see the leading case of *Larson v. Chase*, 47 Minn. 307; also a discussion in the *N. Y. Law Journal*, Vol. 32, p. 1954; *Hockenhammer v. L. & E. Ry. Co.*, 24 Ky. L. Rep. 2383.

DEATH BY WRONGFUL ACT—PASSENGER ON CONSTRUCTION TRAIN—LIABILITY OF COMPANY.—*PENNSYLVANIA CO. V. COYER*, 72 N. W. 875 (ILL.).—Decedent, an employee of a construction company, received notice from the railroad company of a rule forbidding the employees of the construction company to ride on a work train. *Held*, that habitual violation of such rule by